



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

JAMES E. JOHNSON
Corporation Counsel

ALANA R. MILDNER
Labor and Employment Law Division
Phone: (212) 356-1177
Fax: (212) 356-2439
Email: amildner@law.nyc.gov

October 22, 2020

BY ECF

Honorable Vernon S. Broderick
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

APPLICATION GRANTED
SO ORDERED *Vern Bro*
VERNON S. BRODERICK
U.S.D.J. 11/24/2020

Re: Elgalad v. New York City Dept. of Educ. et al.
Civil Action No. 17 Civ. 4849 (VSB)
Law Dept. No.: 2017-036946

Dear Judge Broderick:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, attorney for Defendants in the above-referenced action. I write in response to Plaintiff Ahmed Elgalad's letter to the Court, dated October 5, 2020, ECF No. 56.

On September 23, 2020, upon learning that Plaintiff's counsel intended to withdraw from this case and that Plaintiff would not appear for a remote deposition on October 2, 2020, Defendants requested that, in order to take Plaintiff's deposition, discovery be extended from October 15, 2020 until November 30, 2020. By Order dated September 25, 2020, ECF No. 55, this Court granted that request. Plaintiff's counsel, however, has not yet moved to withdraw, but Plaintiff now seeks a "60-day extension" to obtain new counsel prior to being deposed.

Since January, the parties have engaged in extensive discovery. Defendants have produced to Plaintiff 4,423 pages of documents. Defendants do not object to discovery being extended for an additional 60 days in order for Plaintiff to appear for his deposition. Defendants do, however, object to an extension of discovery for any other purpose. Similarly, to the extent Plaintiff seeks an extension of the October 6th deadline to substitute as a party the estate of the late Defendant Livingstone Hilaire, Defendants object to any such request as Plaintiff had ample opportunity to make the substitution but failed to so act.

I thank the Court for its attention to this matter.

Respectfully Submitted,

/s/

Alana R. Mildner
Assistant Corporation Counsel

cc: **By ECF**
Bryan D. Glass, Esq.
Glass Harlow Hogrogian LLP
Attorneys for Plaintiff
85 Broad Street, 18th Floor
New York, New York 10004